

Dana H. Fox Pro-se
1625-2 Parkmeadows Dr.
Fort Myers Fla. 33907

Bankruptcy Court-Southern District of New York
U.S. Customs House
1 Bowling Green 6th Floor
N.Y., N.Y. 10004

Re: Lifting of
Automatic Stay
09-50026(REG)

Dear Your Honor:

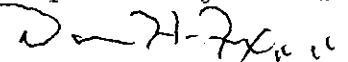
This motion to lift the Automatic Stay of Bankruptcy is based on The Fact That neither Val Ward Dealership or General Motors, Inc. has voluntarily come forward with information concerning the purchase and service and driving experience of a vehicle purchased through Val Ward in Florida: Both parties are now fully subpoenaed and the court has indicated that if the parties do not produce the documents that they are in contempt.

There are mis-representations in the purchase of the vehicle documented in telephone records held by G.M. Inc.; G.M. Inc. said all the dealer had to do is ask for the records yet won't give the record to the dealer.

The vehicle in question (Aurora) is involved with previous litigation as the traction control goes off on the highway when the car hits water causing the car to go out of control: The car also has traction control problems coming down hills in snow.

This is a matter of public safety and an additional reason to lift the stay. Thank-you.

Respectfully Submitted,


Dana H. Fox, Pro-se

BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT
OF NEW YORK

Dana H. Fox, Pro-se)
Plaintiff)
)
V.)
) Lower Court Case: 03-CA-3653
Val Ward, General Motors, Inc.)
Defendants) Bankruptcy Case: 09-50026(REG)
(Motors Liquidation Co.))
)

Motion to Lift The Automatic
Stay of Bankruptcy in The
Lower Court

Now Comes Plaintiff Pro-se Dana H. Fox with this motion to Lift
the stay of bankruptcy filed by the attorney(s) for G.M., Inc.
operating under the alias of "Motors Liquidation Co.", for the
following Facts: '(Under Code 11USC Sect. 362)'

- 1). The original lawsuit in the Circuit Court For Lee County Florida
was filed on 9/10/03 and pre-dates the alleged bankruptcy of G.M., Inc.
See Exhibit 1.
- 2). As this Motion to lift the Automatic Stay is based on the purpose
of lifting the Automatic Stay so six years of obstructed litigation
may come to a close; This is not the venue, or jurisdiction to argue or
present the merits of the lower court case: The plaintiff Pro-se
Mr. Fox observes that this is another maneuver and delay tactic
by G.M. to avoid Contempt charges and/or settling with the Plaintiff
which is in G.M.'s best interest(s).
- 3). G.M. (Motors Liquidation Co.) is "Bailed-Out" by The United States
Government and is really, Not Bankrupt.
- 4). Mr. Fox Pro-se Motions the Court to recognize that if the
court allows G.M. (Motors Liquidation Co.) to continue under the
cloak of bankruptcy, the court is preventing legitimate claims
under Due Process, to go forward.

Wherefore, as Mr. Fox Pro-se is utilizing his Right To Petition the Government for Re-Dress of a Grievance; And this matter in lower court was filed well before the Alleged Bankruptcy of G.M., Inc: And in the interest of Justice and Due Process with Protection of Consumer Rights under the Magnusen-Moss Federal Warranty Act: A Product must work the way it was intended or the consumer gets their money back....

Mr. Fox Pro-se Motions this Honorable court to sign the accompanying Order to lift the Automatic Stay so the Matter in Lower Court May Go Forwaed. Thank-you.

Respectfully Submitted,



Dana H. Fox, Pro-se

BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT
OF NEW YORK

Dana H. Fox, Pro-Se)
Plaintiff)
V.)
Val Ward, General Meters Inc.)
Defendants)
(Meters Liquidation Co.))
Lower Court Case: 03-CA-3653
Bankruptcy Case: 09-50026

ORDER

This Order will Lift the Automatic Stay of Bankruptcy in the
Lower Court Case 03-CA-3653 in The Circuit Court For Lee County
Florida.

Signed on this day by the Presiding Judge in this Matter before
the Bankruptcy Court For The The Southern District of New York.

Date

Presiding Judge:

Payor
Fox, Dana HCase # 3653
#03 CAReceipt No:
CVFM-2003-0846Transaction Date
09/10/2003

Description	Amount Paid
Fox, Dana H	
03-CA-03653	
Fox, Dana H Plaintiff vs General Motors Defendant - <i>VALUWARD</i>	
Filing Fees (CA)	89.50
SUBTOTAL	89.50
Remaining Balance Due: \$0.00	
	PAYMENT TOTAL 89.50
	Cash Tendered 90.00
	Total Tendered 90.00
	Change 0.50
09/10/2003 03:58 PM	Cashier chodge Station CTO-003
	Audit 250030755

OFFICIAL RECEIPT

IN THE CIRCUIT COURT OF THE
TWENTIETH JUDICIAL CIRCUIT, IN AND FOR
LEE COUNTY, FLORIDA

DANA H. FOX,

Plaintiff,

vs.

CASE NO.: 03-CA-03653

VAL WARD OLDSMOBILE and
GENERAL MOTORS CORPORATION,

Defendant.

NOTICE OF BANKRUPTCY

PLEASE TAKE NOTICE that, on June 1, 2009, (the "Commencement Date"), General Motors Corporation (now known as "Motors Liquidation Company") and certain of its subsidiaries filed a voluntary petition seeking bankruptcy protection under chapter 11 of title 11 of the United States Code (11 U.S.C. § 101 *et seq.*) ("Bankruptcy Code") in the United States Bankruptcy Court for the Southern District of New York ("Bankruptcy Court"). The bankruptcy case has been assigned Case No. 09-50026 (REG). PLEASE BE ADVISED that, as of the Commencement Date, any cause of action against General Motors Corporation (now known as "Motors Liquidation Company") in this lawsuit is stayed pursuant to section 362 of the Bankruptcy Code (the "Automatic Stay"), which provides that the filing of the petition, among other things, "operates as a stay, applicable to all entities, of...the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title" and of "any act to obtain possession of

property of the estate or of property from the estate or to exercise control over property of the estate." 11 U.S.C. § 362(a)(1) & 362(a)(3).

PLEASE BE FURTHER ADVISED that any action taken against General Motors Corporation (now known as "Motors Liquidation Company") in this lawsuit without obtaining relief from the Automatic Stay from the Bankruptcy Court may be void ab initio and may result in a finding of contempt against Plaintiff. General Motors Corporation (now known as "Motors Liquidation Company") reserves and retains its statutory right to seek relief in the Bankruptcy Court from any judgment, order, or ruling entered in violation of the Automatic Stay.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U.S. Mail to Plaintiff Dana H. Fox, *pro se*, 1625-2 Parkmeadows Drive, Fort Myers, Florida 33907, this 16 day of July, 2009.


CHARLES P. MITCHELL
Florida Bar No. 0818240
WESTLEY F. LOCKWOOD
Florida Bar No. 0596213
RUMBERGER, KIRK & CALDWELL, P.A.
Post Office Box 3390
Tampa, Florida 33601-3390
Telephone: (813) 223-4253
Telecopier: (813) 221-4752

Attorneys for Defendant General Motors
Corporation

Rumberger KIRK & CALDWELL

August 5, 2009

Westley F. Lockwood
Rumberger, Kirk & Caldwell, P.A.
Attorneys at Law
100 North Tampa Street
Suite 2000 (33602)
Post Office Box 3390
Tampa, Florida 33601-3390
Phone: 813.223.4253
Fax: 813.221.4752
wlockwood@rumberger.com
www.rumberger.com

Dana Fox
1625-2 Park Meadows Drive
Fort Myers, FL 33907

Re: ***Fox, Dana v Val Ward Oldsmobile and General Motors Corporation***
Our File No.: G027-107232

Dear Mr. Fox:

Pursuant to the Notice of Bankruptcy filed on DATE, the motion hearings set for August 10, 2009 must be canceled. General Motors Corporation (now known as "Motors Liquidation Company") has filed a Notice of Cancellation of the hearing set on its motions. Please contact Judge Gerald's assistant and cancel the hearings on the motions you have set as well. As stated in the Notice of Bankruptcy, any action taken against General Motors Corporation (now known as "Motors Liquidation Company") in this lawsuit without obtaining relief from the Automatic Stay from the Bankruptcy Court may be void ab initio and may result in a finding of contempt against Plaintiff. General Motors Corporation (now known as "Motors Liquidation Company") reserves and retains its statutory right to seek relief in the Bankruptcy Court from any judgment, order, or ruling entered in violation of the Automatic Stay. A copy of this letter is also being sent to Judge Gerald and Matthew Belcastro.

Thank you for your cooperation in this matter. I look forward to hearing from you.

Very truly yours,



Westley F. Lockwood

1535163

DANIEL H. FOX, PRO-SE

✓

VALWARD, GENERAL MOTORS

)
)
)
)
)
/

CASE: 03-CA-3657

MOTION TO COURT TO
HAVE TRANSCRIPT OF THE END
OF SEPT. 29, 2008 HEARING

NOW COMES PLAINTIFF PRO-SE TO MOTION COURT TO
HAVE THE TRANSCRIPT OR HEARING NOTES FOR
THE END OF THE SEPT. 29, 2008 HEARING WHERE
THE HONORABLE JUDGE GERALD TOLD MR. FOX PRO-SE
TO SERVE GENERAL MOTORS. AND WHERE THE JUDGE
SAID "WE'LL GO FOR CONTEMPT" IF THE SUBPOENAED
INFORMATION IS NOT PROVIDED.
THIS IS FOR THE JUDGE'S BENEFIT FOR
COMPLETE RE-CALL AND PROOF OF WHAT WAS
SAID IN THE HEARING OF SEPT. 29, 2008.

A TRUE COPY IS MAILED BY
U.S. MAIL ON THIS DATE

RESPECTFULLY SUBMITTED

DANIEL H. FOX PRO-SE

DANIEL H. FOX - "

=: ATTORNEY
" BELCHAS - VALWARD
& MITCHELL
& LOCKWOOD} G.M.

CIRCL OF GURT

JUDGE GERALD,

JUDGE GERALD VALWARD